

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW SUH,

Petitioner,

-against-

DEPT OF JUSTICE,

Respondent.

22-CV-3741 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On May 6, 2022, the Court received a *pro se* submission purportedly brought by Andrew Suh, who is currently incarcerated at Dixon Correctional Facility in Dixon, Illinois. The submission is a one-page handwritten complaint, naming the Department of Justice as the defendant and alleging the following: “Taxpayer damage or no discrimination by jury a writ of attachment, garnishment an ownership amount of damage is reduce to five millions dollars. I am injured to redress required.” (ECF 1, at 1.) Attached to the complaint is a document styled as a “Notice of Appeal.” (*Id.* at 2.) Although the putative Petitioner is incarcerated in Illinois, the envelope containing these documents was mailed from Los Angeles, California. (*See id.* at 3) (indicating a Los Angeles, California post-mark).

A review of this Court’s records reveals that the submission was filed by Young Yil Jo (“Jo”), who has filed hundreds of actions in both his own name and in the names of other purported plaintiffs, without their permission.¹ A review of the Public Access to Court Electronic

¹ Because of Jo’s history in this court, by order dated May 6, 2015, the Honorable Loretta A. Preska, in her capacity as then-Chief Judge, enjoined Jo from filing any new civil action or proceeding in this court without first obtaining leave of the court. *See In re Young Yil Jo*, ECF 1:14-CV-7793, 3 (S.D.N.Y. May 6, 2015). In that order, and in a previous January 8, 2015, order, Judge Preska dismissed the actions Jo brought in the names of other purported plaintiffs without prejudice to any civil action the purported plaintiffs wished to bring, and barred Jo from filing

Records (PACER) system reveals that submissions in Andrew Suh's name were filed in other districts. For example, an action was filed in Suh's name in the United States District Court for the Eastern District of Missouri. *See Suh v. Trump*, No. 17-CV-0280, 4 (E.D. Mo. Mar. 1, 2017). After learning of the submission, Suh informed that court that the action was filed without his authorization. *See id.* (ECF 4, Feb. 24, 2017 submission by Suh) ("I want the record to reflect that the complaint was fraudulently filed without my knowledge or consent."). Moreover, in the past few months, this Court has dismissed several identical actions filed by Jo in Andrew Suh's. *See Suh v. Dep't of Justice*, ECF 1:22-CV-2847, 2 (S.D.N.Y. Apr. 7, 2022); *Suh v. Dep't of Justice*, ECF 1:22-CV-1970, 2 (S.D.N.Y. Mar. 10, 2022); *Suh v. Dep't of Justice*, ECF 1:22-CV-1079, 2 (S.D.N.Y. Feb. 9, 2022). For all of these reasons, the Court finds that this action was filed by Jo. The Court dismisses this action without prejudice to any civil action that Andrew Suh may wish to bring in this court in the future.

The Court advises Jo that the orders issued in *In re Young Yil Jo*, 1:14-CV-7793 (S.D.N.Y.), remain in effect. Jo is enjoined from filing any new civil action or proceeding in this court without first obtaining leave of the court. Jo also remains barred from filing any document in this court in the name of another person.

The Court will dismiss any civil action or proceeding filed by Jo in the name of another person without prejudice to any civil action that person may wish to bring in the future. Should Jo persist in filing civil actions in this Court in the name of other persons, the Court may impose additional restrictions and sanctions on him. *See* 28 U.S.C. § 1651.

any document in this court in the name of another person. ECF 1:14-CV-7793, 2, 3.

CONCLUSION

The Court dismisses this action without prejudice to any civil action that Andrew Suh may wish to bring in this court in the future.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).²

SO ORDERED.

Dated: May 10, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

² The Court would normally direct the Clerk of Court to mail a copy of this order to Young Yil Jo, at 1932 E. Washington Blvd., Pasadena, CA 91104, his address of record for *In Re Young Yil Jo*, ECF 1:14-CV-7793, but Jo is no longer at that address. Mailings by the court to that address in several of the other actions filed by Jo were returned with notations on the envelopes indicating that the forwarding address Jo had provided to the United States Postal Service had expired. *See Suh v. Dep't of Justice*, No. 22-CV-2847 (order of dismissal and civil judgment mailed to Jo returned); *Suh v. Dep't of Justice*, No. 22-CV-1970 (same).